



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

## **HOUSE STANDING COMMITTEE ON REGULATORY REFORM**

Wednesday, February 3rd, 2016      12:00 Noon      Room 519 House Office Building

Representative Ray A. Franz, Chair, called the meeting to order.

Chair Franz requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Absent: None.

Excused: None.

Representative Brett Roberts moved to approve the minutes of the January 27th, 2016 meeting.

There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 161, SB 162, SB 164 and HB 4253, HB 4254, HB 4255 before the committee:

- |         |              |  |
|---------|--------------|--|
| SB 161  | (Booher)     | Occupations; security guards; regulation of security guard agencies; provide for in occupational code.   |
| SB 162  | (Booher)     | Occupations; security guards; security guard licensing under private security business and security alarm act; remove, and make general revisions. |
| SB 164  | (Johnson)    | Occupations; licensing fees; security guard agencies and branch offices; establish fees.   |
| HB 4253 | (Wittenberg) | Occupations; business licensing and registration; certain training of security guards; require.  |
| HB 4254 | (Howrylak)   | Occupations; security guards; certain training of security guards; provide requirements for classroom training.                                    |

HB 4255 (Brett Roberts) Occupations; alarm systems; act requiring registration of security alarm providers; exclude security guard agencies responding to alarms.

A substitute (H-1) was previously adopted on December 2<sup>nd</sup>, 2015 for SB 161.  
A substitute (H-1) was previously adopted on December 2<sup>nd</sup>, 2015 for SB 162.  
A substitute (H-1) was previously adopted on December 2<sup>nd</sup>, 2015 for SB 164.  
A substitute (H-1) was previously adopted on December 2<sup>nd</sup>, 2015 for HB 4253.  
A substitute (H-1) was previously adopted on December 2<sup>nd</sup>, 2015 for HB 4254.  
A substitute (H-1) was previously adopted on December 2<sup>nd</sup>, 2015 for HB 4255.

Senator Booher and his Legislative Aide, Kara Butters, spoke in support of the bills. Questions and discussion followed.

Frank Waters representing the Michigan Department of Licensing and Regulatory Affairs was present to answer questions from the Committee.

Larry Julian representing the Michigan Contract Security Association supported the bills and came forward to answer further questions.

Representative Brett Roberts moved to adopt substitute (H-2) for SB 161. The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Brett Roberts moved to report SB 161 with recommendation, as substitute (H-2). The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Brett Roberts moved to adopt substitute (H-2) for SB 162. The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Chairman Franz offered the following amendments to SB 162, as substituted (H-2):

Amendment No.

1. Amend page 3, line 22, by inserting:

"(j) (g) "Private security guard" means an individual or an employee of an employer who offers, for hire, to provide protection of property on the premises of another, and includes an employee of a private college security force **or private security police force.**" and relettering the remaining subdivisions.

2. Amend page 9, line 19, by striking out "(f)." and inserting "(g)(v).".

3. Amend page 10, line 9, by inserting:

"(g) If the applicant is applying for a private security guard or agency **police force** license, meets any of the following:

(i) Was engaged in the private security guard or agency business on his or her own account in another state for a period of at least 3 years.

(ii) Was engaged in the private security guard or agency business for a period of at least 4 years as an employee of the holder of a certificate of authority to conduct a private security guard or agency business and has experience reasonably equivalent to at least 4 years of full-time guard work in a supervisory capacity with rank above that of patrolman.

(iii) Was employed in law enforcement as a certified police officer on a full-time basis for at least 4 years for a city, county, or state government or for the United States government.

(iv) Was engaged in the private security guard or agency business as an employee or on his or her own account or as a security administrator in private business for at least 2 years on a full-time basis, and is a graduate with a baccalaureate degree or its equivalent in the field of police administration or industrial security from an accredited college or university.

(v) Served in the armed forces; while serving in the armed forces, acted as a military police officer or in an equivalent job classification for at least 2 years; was separated from that service, and provides a form DD214, DD215, or any other form satisfactory to the department that demonstrates he or she was separated from that service, with an honorable character of service or under honorable conditions (general) character of service; and has, and provides with his or her application an affidavit signed by a commanding officer, supervisor, or military superior with direct knowledge of the applicant's service that he or she has, entry-level experience in or basic knowledge of each of the following:

(A) Enforcing rules, regulations, and guidelines.

(B) Providing security and physical protection.

(C) Area and site security operations.

(D) Overseeing prisoners and correctional facilities.

(E) Reconnaissance and surveillance." and relettering the remaining subdivisions.

Representative Dianda moved to adopt the amendments. The motion prevailed by a vote of 14-0-0.

#### **FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Brett Roberts moved to report Senate Bill 162 with recommendation, as amended as substitute (H-3). The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Brett Roberts moved to adopt substitute (H-2) for Senate Bill 164. The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Brett Roberts moved to report SB 164 with recommendation, as substitute (H-2). The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Brett Roberts moved to adopt substitute (H-2) for HB 4253. The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Yonker offered the following amendment to HB 4253, as substituted (H-2):

1. Amend page 1, line 5, by striking out all of “16 hours” and inserting: “12 hours.”

Larry Julian representing the Michigan Contract Security Association came forward to answer questions from the Committee.

Representative Brett Roberts moved to adopt the amendment. The motion prevailed by a vote of 9-5-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, and Chirkun.

Nays: Reps. Dianda, Darany, Lane, Schor, and Moss.

Pass: None.

Representative Yonker offered the following amendment to HB 4253 as substituted (H-2):

1. Amend page 1, line 9, by striking out all of “16 hours” and “12 hours.”.

Representative Yonker moved to adopt the amendment. The motion prevailed by a vote of 9-5-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, and Chirkun.

Nays: Reps. Dianda, Darany, Lane, Schor, and Moss.

Pass: None.

Representative Brett Roberts moved to report House Bill 4253 with recommendation, as amended, as substitute (H-3).The motion prevailed by a vote of 12-2-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Chirkun, Darany, Schor, and Moss.

Nays: Reps. Dianda and Lane

Pass: None.

Representative Brett Roberts moved to adopt substitute (H-2) for HB 4254. The motion prevailed by a vote of 13-1-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Darany, Lane, Schor, Chirkun, and Moss.

Nays: Rep. Dianda.

Pass: None.

Representative Yonker offered the following amendment for HB 4252 as substituted (H-2):

1. “Amend page 2, line 1, by striking out all of “8 hours” and inserting:  
“4 hours.”

Representative Yonker moved to adopt the amendment. The motion prevailed by a vote of 9-5-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, and Chirkun.

Nays: Reps. Dianda, Darany, Lane, Schor, and Moss.

Pass: None.

Representative Yonker moved to report HB 4254 with recommendation, as amended, as substitute (H-3). The motion prevailed by a vote of 12-2-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Chirkun, Darany, Schor, and Moss.

Nays: Reps. Dianda and Lane

Pass: None.

Representative Brett Roberts moved to adopt substitute (H-2) for HB 4255. The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

Representative Roberts moved to report HB 4255 with recommendation, as substitute (H-2). The motion prevailed by a vote of 14-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss.

Nays: None.

Pass: None.

The Chair laid HB 5192 before the committee:

HB 5192 (Afendoulis)      Occupations; accounting; practice of public accounting; revise scope of practice.

Representative Afendoulis testified in support of his bill, along with Shane Berry and Jeff Fineis, both representing the Michigan Association of Certified Public Accountants.

Frank Waters, representing the Michigan Department of Licensing and Regulatory Affairs submitted a card in support of the bill but did not wish to speak.

There being no further business to come before the committee, the Chair adjourned the meeting the time being 12:52 p.m.

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Representative Franz, Chair

Chase Cawthorne  
Committee Clerk  
February 3rd, 2016  
52 Minutes

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Date Approved and Signed